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24/7/98

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 16TH DAY OF JUNE 1998

B E F O R E

THE HON'BLE MR. JUSTICE V.K. SINGHAL

WRIT PETITION NO.17523/1998

BETWEEN:

Smt. Pramodini Kidiyoor,
W/o Karunakar Kidiyoor,
Aged about 38 years,
C.L: 9 Licendee, Hotel
Dwaraka, Nellikeri,
Kumta Town, Kumta,
Uttara Kannada Dist.

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... Petitioner.

(By Sri Narayan V. ^{Yaji} ~~Yaji~~ for Petr.)

AND:

1. The State of Karnataka,
Rep. by its Secretary,
Dept. of Finance & Excise,
Vidhana Soudha, Bangalore.
2. The Excise Commissioner in
Karnataka, Rani Kittur
Chennamma Circle, Bangalore.
3. The Deputy Commissioner of Excise,
Uttara Kannada Dist.,
Karwar.

... Respondents.

(By Smt.S.Sujatha, HCGP, for Respds.)

... 2/-

This Writ Petition filed under Articles 226 & 227 of the Constitution of India with an affidavit praying to: Declare that the respondents are having no legal authority either to retain or to withhold the prescribed licence fee paid by the petitioner for the excise year 1995-96 & 1996-97 under Rule 11 of the Karnataka Excise (Sale of India and Foreign Liquor) Rules 1968 and etc.

This Writ Petition coming on for preliminary hearing this day, the Court made the following:

O R D E R

The petitioner has claimed refund in respect of the licence fee for the year 1996-97, 1995-96 and half of the period for 1994-1995. It has not come on record that any representation was submitted to the respondent before approaching this Court.

If the petitioner has not submitted such representation he may now submit the same within 15 days and thereafter the respondent may pass the order in accordance with law.

Petition stands disposed of accordingly.

Sd/- Judge.

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bsr(o.s.)

r.by: *[Signature]* 12/10/98

c.by: *[Signature]*

Assistant Registrar
High Court of Karnataka